



CASE CO/21-22233/P1/CGC 2064/CIP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Group Art Unit: **1714**

MERVIN G. WOOD ET AL

Examiner: **P. A. Szekely**

APPLICATION NO: **10/075,837**

FILED: FEBRUARY 13, 2002

FOR: BENZOTRIAZOLES CONTAINING PHENYL

GROUPS SUBSTITUTED BY

HETEROATOMS AND COMPOSITIONS

STABILIZED THEREWITH

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Terminal Disclaimer over U.S. Pat. No. 6,451,887 (37 CFR 1.321(c))

Sir:

I, Tyler A. Stevenson, represent that I am the Agent of record for this invention.

Ciba Specialty Chemicals Corporation, a corporation organized and existing under the laws of the State of Delaware, represents that it is the assignee of the entire interest in present app. No. **10/075,837** by virtue of an assignment recorded in the United States Patent and Trademark Office on May 6, 2002, reel/frame 013027/0113.

Ciba Specialty Chemicals Corporation hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on application No. **10/075,837** which would

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extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 of U.S. Patent No. **6,451,887**, the patent forming the basis of the double patenting rejection. The owner hereby agrees that any patent so granted on application No. **10/075,837** shall be enforceable only for and during such period that it and the prior patent are commonly owned, this agreement to run with any patent granted on application No. **10/075,837** and to be binding upon the grantee, its successors and assigns.

Said U.S. Patent No. **6,451,887** is also entirely assigned to Ciba Specialty Chemicals Corporation by virtue of an assignment recorded on March 12, 2001, reel/frame 011621/ 0181.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application No. **10/075,837** that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent No. **6,451,887**, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued in any matter or is terminated prior to expiration of its full statutory term.

Respectfully submitted,



Tyler A. Stevenson
Agent for Applicants
Reg. No. 46,388

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CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Deborah A. Pinori
Type or print name

Deborah A. Pinori
Signature

1/26/04
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Group Art Unit: 1711

MERVIN G. WOOD ET AL

Examiner:

APPLICATION NO: 10/075,837

FILED: FEBRUARY 13, 2002

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SUBSTITUTED BY HETEROATOMS AND
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

LETTER

Sir:

Enclosed herewith is a Terminal Disclaimer in the above identified application.

The Commissioner is hereby authorized to charge the \$110.00 fee and any additional fees that may be required to Deposit Account No. 03-1935. Two additional copies of this letter are enclosed for charging purposes.

Respectfully submitted,

Tyler A. Stevenson
Agent for Applicants
Reg. No. 46,388

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